

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO**

JUSTIN SHILLING,

Plaintiff,

v.

CORRECTIONS CORPORATION OF
AMERICA DBA CCA DBA LAKE ERIE
CORRECTIONAL INSTITUTION, et al.,

Defendants.

Case No.

NOTICE OF REMOVAL

Defendants Corrections Corporation of America dba CCA dba Lake Erie Correctional Institution; CCA Prison Realty Trust; and CCA dba Lake Erie Correctional Inst. (collectively “CCA”), who have been served with the Complaint referenced below, through undersigned counsel and pursuant to 28 U.S.C. §§ 1441, *et seq.*, hereby notice removal of the above-captioned case from the Ohio Court of Common Pleas, County of Ashtabula, Cause No. 2016 CV 00161, to this Court and in support thereof assert:

1. That on or about March 8, 2016, an action was commenced against these removing Defendants in the Ashtabula County Court of Common Pleas under the caption of *Justin Shilling v. Corrections Corporation of America dba CCA dba Lake Erie Correctional Institution; CCA Prison Realty Trust; and CCA dba Lake Erie Correctional Inst.*, Cause No. 2016 CV 00161.

2. On March 11, 2016, the Ashtabula County Clerk of Court duly issued and sent a Summons via certified mail to Defendants Corrections Corporation of America,

CCA Prison Realty Trust, and CCA. Service was perfected upon Defendant Corrections Corporation of America on March 17, 2016, and upon CCA on March 18, 2016.

3. Plaintiff Justin Shilling is a resident of Ohio.

4. Defendant CCA is a Maryland corporation with headquarters located in Nashville, Tennessee.

5. Defendant CCA owns and operates the Lake Erie Correctional Institution (“LaECI”), a physical structure located in Ashtabula County, Ohio.

6. A complete and true copy of the Summons and Complaint is filed simultaneously herewith as Exhibit A to this Notice of Removal.

7. A true copy of the Court of Common Pleas docket sheet is filed simultaneously herewith as Exhibit B to this Notice of Removal. If the file is not promptly forwarded from the Court of Common Pleas, these removing Defendants will obtain and provide a complete copy of the Court of Common Pleas file pursuant to 28 U.S.C. § 1446(b).

8. Defendants have the right to remove this action to this Honorable Federal District Court under 42 U.S.C. § 1983, 28 U.S.C. §§ 1441(b), 1443, 1446, and to invoke this Court’s original jurisdiction under 28 U.S.C. §§ 1331 and 1332.

9. Defendants’ efforts to effect this removal are in accordance with 28 U.S.C. § 1446.

10. A Notice of Filing Notice of Removal, a true and correct copy of which is attached hereto as Exhibit C, is being simultaneously filed in the Ashtabula County Court of Common Pleas.

WHEREFORE, Defendants respectfully request that the above action now pending in the State of Ohio Court of Common Pleas for Ashtabula County be removed to this Honorable Federal District Court.

RESPECTFULLY SUBMITTED this 12th day of April, 2016.

By: /s/ Timothy J. Bojanowski

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Attorney for Defendants

CERTIFICATE OF SERVICE

I hereby certify that on April 12, 2016, I mailed *via* First Class United States Mail, the attached document to the Clerk's Office for filing and caused a true and correct copy of the same to be sent by First Class United States Mail, postage prepaid, to the following:

John D. Falgiani, Jr., Esq.
P.O. Box 8533
Warren, OH 44484
Attorney for Plaintiff

/s/ Timothy J. Bojanowski
Timothy J. Bojanowski